

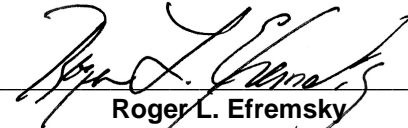
March 05, 2010

GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



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**The following constitutes
the order of the court. Signed March 05, 2010**


Roger L. Efremsky
U.S. Bankruptcy Judge

Attorney for: Secured Creditor,
EMC Mortgage Corporation as servicing agent
for Wells Fargo Bank, National Association, as
Trustee for the Certificateholders of Structured
Asset Mortgage Investments II Inc., GreenPoint
Mortgage Funding Trust 2005-AR4, Mortgage
Pass-Through Certificates, Series 2005-AR4,
assigns and/or successors

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re:	) Case No. 09-57782 E
)
Lorenzo Cabrera	) Chapter 13
Maria Cabrera)
	) RS No. BRI-4804
)
Debtors.	) ORDER ON MOTION FOR RELIEF
	) FROM AUTOMATIC STAY
)
	) Date: 1/20/2010
	) Time: 10:00 AM
	) Ctrm: 3099
	) Place: 280 S. First Street
	) San Jose, CA
)
	) Judge: ROGER L. EFREMSKY
)

The motion of Secured Creditor, EMC Mortgage Corporation as servicing agent for
Wells Fargo Bank, National Association, as Trustee for the Certificateholders of Structured

1 Asset Mortgage Investments II Inc., GreenPoint Mortgage Funding Trust 2005-AR4, Mortgage
2 Pass-Through Certificates, Series 2005-AR4, assigns and/or successors, for relief from the
3 automatic stay came on regularly for hearing by the Court on the date, time and place set forth
4 above, before the Honorable ROGER L. EFREMSKY. EMC Mortgage Corporation as servicing
5 agent for Wells Fargo Bank, National Association, as Trustee for the Certificateholders of
6 Structured Asset Mortgage Investments II Inc., GreenPoint Mortgage Funding Trust 2005-AR4,
7 Mortgage Pass-Through Certificates, Series 2005-AR4, assigns and/or successors in interest,
8 appeared by and through its Attorney of Record, McCarthy & Holthus, LLP by Brielyn Sesko,
9 Esq. All other appearances are as noted in the court record.

10 Upon reading the papers and pleadings on file herein, and upon hearing oral argument
11 and based on the evidence presented, the Court rules as follows:

12 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the automatic stay
13 provisions of 11 U.S.C. § 362 be and are hereby terminated with respect to the interests of
14 Movant, EMC Mortgage Corporation as servicing agent for Wells Fargo Bank, National
15 Association, as Trustee for the Certificateholders of Structured Asset Mortgage Investments II
16 Inc., GreenPoint Mortgage Funding Trust 2005-AR4, Mortgage Pass-Through Certificates,
17 Series 2005-AR4, assigns and/or successors in interest, in the real property commonly known as
18 428 Colfax Drive, San Jose, CA 95123. IT IS FURTHER ORDERED that Movant may complete
19 its foreclosure of said real property and proceed with post-foreclosure remedies, including any
20 unlawful detainer action, in accordance with applicable law.

21 IT IS FURTHER ORDERED The fourteen day stay described in Bankruptcy Rule
22 4001(a)(3) is waived upon relief.

23
24 **** END OF ORDER ****
25
26
27
28
29

COURT SERVICE LIST

DEBTOR

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TRUSTEE

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